

# FarSight<sup>TM</sup>

## Patent Services

Gary R. Fabian, Ph.D.  
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1163 Ruby Street  
Redwood City, CA 94061  
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GRFabian@FarSightPatent.com

### Fax Cover Sheet

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MAR 13 2008

**Date:** 13 March 2008 **Time:**  
**To:** Commissioner for Patents **Phone:** none  
United States Patent and Trademark  
Office **Fax:** 1-571-273-8300  
**From:** Gary R. Fabian **Phone/Fax:** (650) 780-9030  
Registration No. 33,875  
**Re:** U.S. Patent Application Serial No. 09/976,228 (Intarcia Dkt. No. ALE 054.11)

**Number Of Pages Including Cover Sheet:** 11 ( Eleven pages)

### Message

THE ATTACHED DOCUMENTS ARE TO BE  
MADE OF OFFICIAL RECORD

Transmitted herewith for filing in the above-referenced application are the following documents:

1. Second Request For USPTO To Enter New Power Of Attorney, Change Of Bibliographic Data And Blanket Petition, including copies of previously filed documents: Transmittal; Revocation and Substitute Power of Attorney; Change of Bibliographic Data: Attorney Docket Number and Correspondence Address; and Authorization to Charge or Credit Deposit Account and Blanket Petition for Extension of Time.

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This message and its attachments contain information that may be confidential and privileged (e.g., Confidential and/or Subject to Attorney/Client Privilege and/or Subject to Agent/Client Privilege (see, 37 CFR §10.56 and §10.57)). Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone the message, attachments, or any information contained in the message or attachments. If you have received the message in error, please advise the sender and destroy the message, as well as any accompanying attachments. Thank you very much.

Please contact us at (650) 780-9030 if you have any problems with this transmission.

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**RECEIVED  
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USSN: 09/976,228  
PATENT**MAR 13 2008****CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)**

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, United States Patent and Trademark Office, (Fax No. 571-273-8300) on the date indicated.

Signature

Date of Transmittal

| IN THE UNITED STATES PATENT AND TRADEMARK OFFICE                       |                        |
|--|------------------------|
| In Re Application of: KLEINER, Lothar, et al.                          | Confirmation No.: 9517 |
| Serial No.: 09/976,228   | Art Unit: 1616         |
| Filing Date: 12 October 2001   | Examiner: Brown, C.A.  |
| Title: RATE CONTROLLING MEMBRANES FOR CONTROLLED DRUG DELIVERY DEVICES |                        |

**SECOND REQUEST  
FOR USPTO TO ENTER NEW POWER OF ATTORNEY,  
CHANGE OF BIBLIOGRAPHIC DATA AND  
BLANKET PETITION**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On 25 January 2008, applicants filed the following documents with the USPTO via facsimile:

1. Transmittal;
2. Revocation and Substitute Power of Attorney;
3. Change of Bibliographic Data: Attorney Docket Number and Correspondence Address; and
4. Authorization to Charge or Credit Deposit Account and Blanket Petition for Extension of Time.

Copies of the documents accompany this paper. The copies show receipt of the documents by the Central Fax Center. Further, these documents were downloaded from the Image File Wrapper of Public Pair.

Intarcia Dkt No. ALE 054.11  
USSN: 09/976,228  
PATENT

The assignee of the present application submitted a spreadsheet of cases to the Electronic Business Center (EBC) to be associated with assignee's customer number. The EBC rejected the present application asserting that there was not an appropriate Power of Attorney. However, as can be seen from the accompanying papers, applicants have submitted a proper Power of Attorney for the present application, including evidence of chain of title.

The EBC informed the undersigned that it is the Examiner's responsibility to ensure that these papers were properly entered. Accordingly, please ensure that the electronic file record is updated as soon as possible.

Further, please associate the present application with **CUSTOMER NUMBER 000074866.**

Please direct all further communications in the application to:

**CUSTOMER NUMBER 000074866**

Barbara G. McClung, Esq.  
Vice President, General Counsel and Corporate Secretary  
Intarcia Therapeutics, Inc.  
24650 Industrial Blvd  
Hayward CA 94545  
Phone: 510-782-7800 ext 296  
Facsimile: 510-782-7801

If the Examiner notes any further matters that the Examiner believes may be expedited by a telephone interview, the Examiner is requested to contact the undersigned at (650) 780-9030.

Respectfully submitted,

Dated: 13 March 2008

By: Gary R. Fabian  
Gary R. Fabian, Ph.D.  
Registration No. 33,875  
Agent for Applicants

Mar. 13. 2008 12:34PM  
01/25/2008 14:23

Farsight Patents (650)-679-9596  
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JAN 25 2008

# FarSight™ Patent Services

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GRFabian@FarSightPatent.com

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Date: 25 January 2008 Time: 2:36 pm.  
To: Commissioner for Patents Phone: none  
United States Patent and Trademark Office Fax: 1-571-273-8300  
From: Gary R. Fabian Phone/Fax: (650) 780-9030  
Registration No. 33,875  
Re: U.S. Patent Application Serial No. 09/976,228 (Intarcia Dkt. No. ALE 054.11)

Number Of Pages Including Cover Sheet: 8 ( Eight pages)

## Message

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MAR 13 2008

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|--|---------------------|
| <b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>   |                     |
| I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, United States Patent and Trademark Office, (Fax No. 571-273-8300) on the date indicated. |                     |
| <i>Gary R. Falsan</i>  | 25 January 2008     |
| Signature  | Date of Transmittal |

|  |                        |
|--|------------------------|
| <b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>                |                        |
| In Re Application of: KLEINER, Lothar, et al.                          | Confirmation No.: 9517 |
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| Title: RATE CONTROLLING MEMBRANES FOR CONTROLLED DRUG DELIVERY DEVICES |                        |

**TRANSMITTAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

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and
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**Authorization to Charge Deposit Account:**

No fees are believed due. However, the Commissioner is hereby authorized to charge to Deposit Account No. 504212 (please reference docket number ALE 054.11) any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, with the exception of the payment of the Issue Fee.

Respectfully submitted,

*Gary R. Fabian*

Dated: 25 January 2008

By :

Gary R. Fabian, Ph.D.  
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Agent for Applicants

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